

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Election/Restriction

The finality of the restriction requirement is noted. Accordingly, withdrawn claims 20-27 have been cancelled without prejudice to applicant's right to pursue the subject matter thereof in a divisional application.

Claim Rejections - 35 USC § 102

Claim 1 has been amended to specify that the metallic filtration media is formed from metal fibres, metal powder, metal wires, woven metal mesh, or any combination thereof (previously recited in claim 2 which has been cancelled. In the last Office Action, claim 2 was rejected as being anticipated by *Galaj* et al. U.S. Patent No. 5,059,366 (*Galaj*). Reconsideration and withdrawal of the rejection based on *Galaj* is respectfully requested in view of the following comments.

Galaj discloses a filter membrane having a porous structure having a surface layer with pores of a well-defined diameter (title; column 1, lines 34 to 37). Column 7, line 59, to column 8, line 3, referenced by the Examiner, describes a porous structure that is subjected to vapour phase deposition to form a thin and continuous film layer, column 7, lines 65 and 66. The treatment is stopped when the thickness reaches the desired value, for example 0.1 micrometers, column 7, line 67, to column 8, line 1.

In *Galaj* the porous structure may be of various non-metals or of sintered metal, see abstract and column 2 line 49. In contrast, the metallic filtration media of claim 1 is formed from metal fibres, metal powder, metal wires, woven metal mesh, or any combination thereof. Consequently, *Galaj* does not anticipate amended claim 1, nor does *Galaj* provide any suggestion or motivation to apply a protective coating to such types of metallic filtration media.

Edlund U.S. Patent No. 5,498,278 (*Edlund*) does not overcome the fundamental deficiencies of *Galaj* as a teaching reference vis-a-vis the subject matter of claim 1 (formerly claim 2 which was not rejected in view of *Edlund*). *Edlund* relates to filter membranes (like *Galaj*). Moreover, the porous or micro-porous intermediate layer 3 is not metallic (see claims 7, 8 and 9 of *Edlund*).

The above comments are also applicable to new claim 28. The remaining claims depend directly or indirectly from claim 1 or claim 28 and thus are allowable for at least the same reasons. The absence herein of any specific comment regarding the dependent claims should not be viewed as an acquiescence in the contentions put forth by the Examiner. Rather, no traversal is considered necessary at this time in view of the allowability of the base independent claims.

Conclusion

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

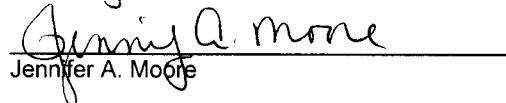
By 
Don W. Bulson, Reg. No. 28,192

1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113

Electronic Filing
CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper or thing referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, using the EFS.

Date: 10-4-06


Jennifer A. Moore

M:\D\DYOUN\P\PO260\PO260US.R02.wpd